

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 17, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE

VAR-14734 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: STEVEN PORTNOFF - This is an Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW PROPOSED SIX FOOT HIGH BLOCK WALLS IN THE FRONT YARD WHERE FOUR FEET IS THE MAXIMUM HEIGHT ALLOWED on 0.63 acres located on the south side of O'Bannon Drive, approximately 140 feet west of Lisa Lane (APN 163-04-401-002), U [(Undeveloped) Zone, R (Rural) General Plan Designation], Ward 2 (Wolfson). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Appeal letter filed by Steve Portnoff
6. Backup referenced from the 11-02-06 Planning Commission Meeting Item 32

Motion made by STEVE WOLFSON to Approve Subject to Conditions and adding the following condition as read for the record:

A. Approval shall be for a six-foot high open wrought iron fence.

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0
 LAWRENCE WEEKLY, LARRY BROWN, LOIS TARKANIAN, STEVE WOLFSON, GARY REESE, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-OSCAR B. GOODMAN); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

CITY COUNCIL MEETING OF: January 17, 2007

For the record, MAYOR GOODMAN referenced a letter from DOUG RANKIN, Planning Manager, that was sent to the applicant. BARBARA JO RONEMUS, City Clerk, confirmed that the City Clerk's office was in receipt of the letter.

STEVEN PORTNOFF, applicant, used the overhead to provide photos depicting the area cul-de-sac, his neighbors' block walls and his proposed wrought iron fence.

COUNCILMAN ROSS questioned whether the other property owners pulled permits for the walls shown in the photos; if not, he felt it was unfair for those who abide by the Code when others opt to have no regard for the Code and build as they wish. MARGO WHEELER, Director of Planning and Development, responded that permits were required but she did not have any information as to whether the walls were built with permits.

COUNCILMAN WOLFSON noted that, in reality, MR. PORTNOFF is only seeking a one-foot variance. MR. RANKIN explained that the Code changed in August pertaining to walls, but the applicant applied in May. The applicant is only requesting an additional foot in wall height, so the Councilman could support a six-foot, wrought iron fence with electric gates.

MAYOR PRO TEM REESE declared the Public Hearing closed.